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September 8, 2023

By ECF and e-mail

Honorable J. Paul Oetken
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *United States v. Emmanuel Almonte*, 21 Cr. 552 (JPO)

Dear Judge Oetken:

I write on consent (Assistant U.S. Attorney Diarra Guthrie and Probation Officer Brianna Willborn) to respectfully request that the Court adjourn the conference currently scheduled for September 11, 2023, at 12:00 p.m., for a period of around eight weeks.

On August 30, 2023, the Probation Office requested that the Court issue a summons based on six violations of supervised release all relating to the same incident – an alleged burglary that took place on July 29, 2023. Mr. Almonte is currently facing state charges based on the same underlying conduct. As indicated in the report, during the charged incident Mr. Almonte fell from a fire escape and broke multiple bones, including bones in both of his legs. He has since undergone three surgeries, and has been directed to remain non-weight bearing for the next eight to 10 weeks.

Given Mr. Almonte's medical condition, we respectfully request that the Court adjourn the upcoming conference until Mr. Almonte is physically able to come to court. The adjourn period will also allow for the underlying state case to proceed, and the resolution of the state cases will likely inform the resolution here. If there is a resolution in the state before the next conference date, I will so inform the Court.

If the Court nevertheless would like to proceed with the conference, I respectfully request that the Court permit Mr. Almonte to join by telephone or other remote means.

Granted.
The September 11, 2023 heaving on the violation of supervision is hereby adjourned to November 13, 2023 at 4:45 pm.
So ordered.
9/8/2023

Respectfully submitted,

/s/ _____
Martin Cohen
Ass't Federal Defender
(212) 417-8737


J. PAUL OETKEN
United States District Judge